

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

THE HOLMES GROUP, INC.,

Plaintiff,

v.

WEST BEND HOUSEWARES, LLC and
FOCUS PRODUCTS GROUP, L.L.C.,

Defendants.

Civil Action No. 1: 05-CV-11367 (REK)

AFFIDAVIT OF ALAN M. SACK

STATE OF NEW YORK:

COUNTY OF NASSAU:

I, Alan M. Sack, do hereby depose and state as follows:

1. I submit this Affidavit in support of my application under Local Rule 83.5.3 of the Local Rules of the District of Massachusetts for an Order permitting me to appear in this action as counsel *pro hac vice* for Plaintiff, The Holmes Group, Inc.

2. Each of the facts stated herein is based on my personal knowledge and, if called and sworn as a witness, I could and would competently testify thereto.

3. I am a partner with the law firm of Hoffmann & Baron, LLP. My office address is 6900 Jericho Turnpike, Syosset, New York 11791; telephone: (516) 822-3550; facsimile: (516)

822-3582; email: AMSDocket@hoffmannbaron.com. My residence address is 146 Cold Spring Road, Syosset, NY 11791.

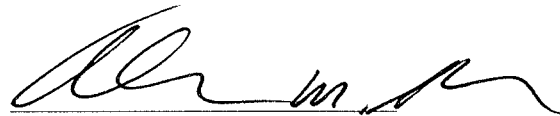
4. I was admitted to the New York State Bar in June of 1984 and to the State of New Jersey in 1987. I have also been admitted to practice law in the Federal District Courts of Southern, Eastern, and Western Districts of New York; Federal District Court of New Jersey; the Court of Appeals for the Federal Circuit; and, the United States Supreme Court.

5. I am a member in good standing of the State Bar of New York and in all other courts in which I am admitted to practice. I have not been suspended or disbarred in any court or jurisdiction.

6. I certify that I have studied the Local Rules of the District of Massachusetts.

7. The local counsel of record for Plaintiff, The Holmes Group, Inc., with whom I seek to associate, is Nicholas J. Nesgos, Esq., of the law firm of Posternak Blankstein & Lund LLP, Prudential Tower, 800 Boylston Street, Boston, Massachusetts 02199-8004, telephone: (617) 973-6100, facsimile: (617) 367-2315.

Further Affiant Sayeth Not.



Alan M. Sack

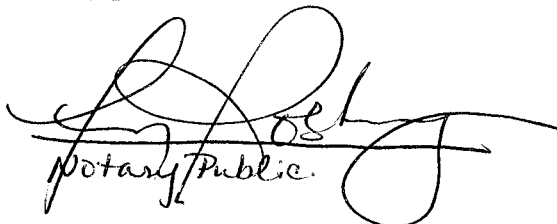
STATE OF NEW YORK:

ss

COUNTY OF NASSAU:

Sworn to before me and subscribed in my presence this the 27th day of July, 2006.

AMY ROSENBERG
Notary Public, State of New York
No. 01RO5032879
Qualified in Suffolk County
Commission Expires Sept 6, 2006



Notary Public.

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ORDER GRANTING MOTION TO APPEAR *PRO HAC VICE*

THIS CAUSE came on to be heard on the application of Alan M. Sack, Esq., counsel for Plaintiff, The Holmes Group, Inc., for permission to appear and participate *pro hac vice* in the above-captioned case and the Court being fully advised in the premises, it is

ORDERED that the Motion to Appear *Pro Hac Vice* is granted.

DONE and ORDERED in Chambers at Massachusetts, this ____ day of

_____, 2006.

U. S. DISTRICT JUDGE
DISTRICT OF MASSACHUSETTS